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MINISTRY OF LAW

NOTIFICATIONS

New Delhi, the 10th January, 1952

S.R.O. 69.—In exercise of the powers conferred by section 169 of the Representation of the People Act, 1951 (XLIII of 1951), the Central Government, after consulting the Election Commission, hereby makes the following amendments in the Representation of the People (Conduct of Elections and Election Petitions, Rules, 1951, namely :—

1. After rule 34 of the said Rules, the following rules shall be inserted, namely :—

"34A. Disposal of ballot boxes, etc. on adjournment of poll.—If the poll is adjourned under section 57 at any polling station, the provisions of rules 32, 33 and 34 shall apply in relation to the poll so adjourned as they apply in relation to a poll closed in accordance with the provisions of sub-rule (2) of rule 17.

34B. Special procedure regarding recommencement of an adjourned poll.—

- (1) Where a poll adjourned under sub-section (1) of section 57 recommences under sub-section (2) of that section, the electors who have already voted at the poll so adjourned before the adjournment shall not vote again after its recommencement.
- (2) When an adjourned poll is recommenced at any polling station the ballot boxes which have been already used at the poll before its adjournment and have been sealed and delivered to the Returning Officer after the adjournment shall not be used but new ballot boxes shall be provided at such polling station, and the procedure laid down in rules 19 and 21 shall be followed in relation to such new ballot boxes.
- (3) The Returning Officer shall cause to be delivered to the presiding officer of the polling station at which such adjourned poll is to recommence the sealed packets of—
 - (i) the unused ballot papers;
 - (ii) the marked copy of the electoral roll;
 - (iii) the tendered votes list; and
 - (iv) the list of challenged votes,

which were received by the Returning Officer from the presiding officer of the polling station at which the poll was adjourned.

- (4) The presiding officer shall before the recommencement of the poll open, in the presence of any candidates or their election or polling agents who may be present at the polling station, the sealed packets received by him under sub-rule (3) and shall make them available for use for the taking of the adjourned poll."

2. In clause (b) of rule 40 of the said Rules, after the word, brackets and letter "clause (b)" the words, brackets and letter "or clause (e)" shall be inserted.

3. In rule 54 of the said Rules—

(a) in the second proviso, for the words "close of the poll" the words "close or adjournment of the poll" shall be substituted;

(b) the following proviso shall be added at the end, namely :—

"Provided also that rule 34B shall have effect as if for the reference in sub-rule (2) thereof to rules 19 and 21 the reference to rule 56 were substituted and in the reference in sub-rule (3) of the said rule 34B to the sealed packets to be delivered to the presiding officer the reference to the sealed packet of the counter foils of ballot papers were included.";

4. After rule 82 of the said Rules, the following rules shall be inserted, namely :—

"82A. Disposal of ballot boxes, etc., on adjournment of poll.—If the poll is adjourned under section 57 at any place fixed therefor, the provisions of rule 82 shall apply in relation to the poll so adjourned as they apply in relation to a poll closed in accordance with the provisions of sub-rule (2) of rule 76.

82B. Special procedure regarding recommencement of an adjourned poll.—

(1) Where a poll adjourned under sub-section (1) of section 57 recommences under sub-section (2) of that section, the electors who have already voted at the poll so adjourned before the adjournment shall not vote again after its recommencement.

(2) When an adjourned poll is recommenced at any place fixed therefor the ballot boxes which have been already used at the poll before its adjournment and have been sealed after the adjournment shall not be used, but new ballot boxes shall be provided at such place and the procedure laid down in rule 75 shall be followed in relation to such new ballot boxes.

(3) The Returning Officer shall before the recommencement of the poll open, in the presence of any candidates or their election or polling agents who may be present at the place fixed for the poll, the sealed packets of—

(i) the unused ballot papers;

(ii) the marked copy of the list of electors containing receipts of the electors that ballot papers have been obtained by such electors; and

(iii) the counterfoils of ballot papers, which were used at the place at which the poll was adjourned and were sealed after the adjournment of such poll and shall make them available for use for the taking of the adjourned poll."

5. In Schedule I to the said Rules, in clause (b) of paragraph 4 of the instructions in Form 11, after the words "or the wife of such person" the words, brackets and figures "or is a person who has been permitted under sub-rule (2) of rule 37 to give his vote by postal ballot" shall be inserted.

[No. F. 134(3)/51-C.1]

S.R.O. 70.—Corrigendum.—In the Delimitation of Parliamentary and Assembly Constituencies (West Bengal) Order, 1951, as modified by Parliament, the following correction shall be made :—

"On page 5, in Table A—Parliamentary constituencies, against 'Calcutta South-West' in column 1, for 'Tollygunge and Behala police stations in column 2 read "Tollygunge Municipality, Behala police station and Tollygunge police station (excluding Tollygunge Municipality)".

[No. F. 85(9)/51-C.]

S. N. MUKERJEE, Joint Secy.